

Committee: Planning

Agenda Item

Date: 23 July 2014

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Title: UTT/13/2917/FUL Elsenham

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Item for decision

Summary

1. At the meeting of 12 February 2014, the Planning Committee considered planning application UTT/13/2917/FUL related to site Land Adjacent Hailes Wood, Elsenham. The application considered the demolition of 32 Hailes Wood and the redevelopment of the site and land adjacent, to provide 32 dwellings, public car park, and public play area. Members resolved to approve the application subject to conditions and a Section 106 Obligation. This Section 106 Obligation has now been sealed.
2. The determination of this application at Planning Committee followed the application's deferral from Planning Committee on 15 January 2014. The Committee of 12 February 2014 considered an amendment to the proposed scheme.
3. Concerns have been raised by third parties as to whether the officer's report to the Planning Committee specifically considered the impact of the revised scheme upon the property 59 Hailes Wood. Additionally concerns have been raised as to whether the impact upon the amenity of homes in Hailes Wood from increased use of the access road had already been considered.

Recommendations

4. It is recommended that the planning permission be issued in accordance with the details previously agreed by the Planning Committee.

Financial Implications

5. None. There are no costs associated with the recommendation.

Background Papers

6. Reports to Planning Committee 15 January 2014 & 12 February 2014
Planning File UTT/13/2917/FUL

Impact

- 1.

Communication/Consultation	Representations received from third parties
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	subsequent to the Planning Committee's resolution of 12 February
Community Safety	
Equalities	
Health and Safety	
Human Rights/Legal Implications	None
Sustainability	
Ward-specific impacts	Elsenham
Workforce/Workplace	

Situation

7. At the meeting of 12 February 2014, the Planning Committee considered planning application UTT/13/2917/FUL related to site Land Adjacent Hailes Wood, Elsenham. The application considered the demolition of 32 Hailes Wood and the redevelopment of the site and land adjacent to provide 32 dwellings, public car park, public play area. Members resolved to approve the application subject to conditions and a Section 106 Obligation. This Section 106 Obligation has now been sealed.
8. Since the Planning Committee's resolution to approve on 12 February 2014, there have been various representations to the local authority from third parties related to the decision of Planning Committee.
9. The Chief Executive and Assistant Chief Executive-Legal have been variously involved in exchanges with third parties and their representatives. Two principal issues have arisen that require some clarification
10. The first issue relates to the consideration of the revision of the planning application following its deferral from Planning Committee on 15 January 2014. This revision related to the redesign and alteration of Plot 22, its relationship to the existing property 59 Hailes Wood, and the relocation of two affordable units to reduce a cluster of thirteen. Two affordable units were relocated adjacent to the garden of 59 Hailes Wood. It is not explicitly discussed within the officer's report how this revision impacted upon 59 Hailes Wood, and therefore it cannot be demonstrated whether this point was specifically considered by members.
11. Officers' recollection is that this relationship was considered by members, but accepts it is not mentioned within the report. It is considered that the relocated units do not result in direct overlooking from the units to the existing property 59 Hailes Wood.

12. The second issue relates to the impact of the amenity of the existing residents from the increased traffic flow from the proposed units through Hailes Wood. Hailes Wood is an existing adopted public highway, and it is considered that the development would not result in an unacceptable amenity impact upon the residents of Hailes Wood over and above the level normally attributable from an estate road.

Conclusion

13. Confirmation is sought of the Committee's original decision to approve from 12 February 2014.

Risk Analysis

2.

Risk	Likelihood	Impact	Mitigating actions
None	N/A	N/A	N/A

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.